

**JUNE, 1843.**

**At the General Assembly of the STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS,** begun and holden by adjournment, at Newport, within and for said State, on the third Monday of June, in the year of our Lord one thousand eight hundred and forty-three, and of Independence the sixty-seventh.

**PRESENT :**

**His Excellency JAMES FENNER, Governor :**

**His Honor BYRON DIMAN, Lieutenant Governor.**

**SENATORS FROM THE SEVERAL TOWNS :**

Newport,	EDWARD W. LAWTON.
Providence,	ALBERT C. GREENE,
Portsmouth,	JOHN MANCHESTER.
Warwick,	JOHN BROWN FRANCIS.
Westerly,	
New-Shoreham,	SIMON R. SANDS.
North-Kingstown,	JEFFREY DAVIS.
South-Kingstown,	ELISHA R. POTTER.
East-Greenwich,	WILLIAM GREENE.
Jamestown,	GEORGE C. CARR.
Smithfield,	ISAAC WILKINSON.
Scituate,	JOB RANDALL.
Glocester,	SAMUEL STEERE.
Charlestown,	ASA CHURCH, Jun.
West-Greenwich,	GEORGE DAWLEY.
Coventry,	ELISHA HARRIS.
Exeter,	SAMUEL PHILLIPS.
Middletown,	JOSEPH I. BAILEY.
Bristol,	NATHANIEL BULLOCK.
Tiverton,	DAVID DURFEE.
Little-Compton,	NATHANIEL CHURCH.
Warren,	JOSEPH SMITH.
Cumberland,	OLNEY BALLOU.
Richmond,	ISRAEL ANTHONY.
Cranston,	ANSON POTTER.
Hopkinton,	JOSIAH W. LANGWORTHY.
Johnston,	CYRUS BROWN.
North-Providence,	LEVI C. EATON.
Barrington,	JAMES BOWEN.
Foster,	SAMUEL TILLINGHAST.
Burrillville,	OTIS WOOD.

***THE SECRETARY.***

**GEORGE RIVERS, Esq. Clerk.**

**EXHIBIT**

**11**

# MILITIA LAW.

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## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

*In General Assembly, June Session, A. D. 1843.*

AN ACT TO REGULATE THE MILITIA.

*It is enacted by the General Assembly as follows :*

### *Of the Enrolled Militia.*

Section 1. Every able bodied white male citizen, in this State, who is or shall be of the age of eighteen years, and not exceeding the age of forty-five years, excepting persons absolutely exempted by the provisions of this act, and idiots, lunatics, common drunkards, paupers, vagabonds, and persons convicted of any infamous crime, shall be enrolled in the militia, as hereinafter provided.

Sec. 2. In addition to the persons exempted from military duty by the act of Congress, there shall also be exempted from the performance of such duty, the following persons to wit: all persons who have holden the office of Governor, or Lieutenant Governor; all persons who, after the last day of February, A. D. 1796, shall have holden any military commission or commissions, or staff office, with the rank of an officer of the line, for the space of five years successively, and who shall have been engaged thereon according to law, and been honorably discharged; and also all persons who shall have holden any such military commission or commissions, or staff office aforesaid, for a less term than five years, and who have been superseded without their consent.

Sec. 3. Persons of the following descriptions, as long as they shall remain of said descriptions, shall be exempted from the performance of military duty, to wit: the justices and clerks of the supreme judicial court, the justices and clerks of

the courts of common pleas, the Secretary of State, the Attorney General, the General Treasurer, the sheriff of each county, one ferryman at each stated ferry, who usually navigates the boat, the keepers of light houses within this State, all settled or ordained ministers of the gospel, the president, professors, tutors, students, and steward of Brown University, the town councils of the several towns, the Mayor and Aldermen of the city of Providence, town and city treasurers, town and city clerks, practising physicians, practising surgeons—not including the pupils of either—preceptors and ushers of academics and schools, and engine men ; and provided that no engine shall have more than twenty men, unless otherwise provided by special enactment ; the members of fire hook and ladder companies, and chartered fire hose companies ; all persons belonging to the Society of Friends, commonly called Quakers, and the inhabitants of the towns of New-Shoreham and Jamestown, and of the island of Prudence, and such others as shall make oath or affirmation that they are conscientiously scrupulous against bearing arms, which fact shall appear to the commanding officer, by certificate of the magistrate before whom said oath or affirmation was given.

Sec. 4. It shall be the duty of the assessors of taxes in each town in this State, and in the city of Providence, annually to prepare a list or roll of all persons liable to be enrolled in the militia, as provided in the first section, together with all persons liable to do duty in case of invasion, insurrection, riot, and tumult, living within their respective limits, whether such persons be or be not attached to any chartered or regimental companies ; and to place the same in the hands of the town clerk of such town, and of the said city of Providence, and it shall be the duty of every such clerk to record such list or roll of names in a proper book of record, to be kept for that purpose, in every town in this State, and in the city of Providence. Annual returns of the militia, thus enrolled, shall be transmitted to the Adjutant General in the month of October, in each and every year, by the clerks aforesaid, and by him to the President of the United States. It shall also be the duty of said assessors to assess upon the persons liable to be enrolled in the militia as aforesaid, except in the towns of New Shoreham and Jamestown, and that portion of the town of Portsmouth forming the island of Prudence, a tax of fifty